

Notice of Allowability

Application No.

09/689,005

Examiner

Kim-Kwok CHU

Applicant(s)

KOBAYASHI ET AL.

Art Unit

2653

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Appeal Brief filed on 3/7/2005.
2. ☒ The allowed claim(s) is/are 1, 7, 6 and 8-10 which are renumbered as 1-6 respectively.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

1. An Examiner's Amendment to the record appears below.
Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 C.F.R. 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the Issue Fee.

2. The Amendment filed on March 24, 2004 has been amended as follows:
 - (a) in claim 6, line 11, the term "the recording/reproducing apparatus" has been changed to --a recording/reproducing apparatus--.

Allowable Subject Matter

3. Claims 1 and 6-10 are allowable over prior art.

4. The following is an Examiner's statement of reasons for the indication of allowable subject matter based on argument filed on March 7, 2005.

As in claim 1, the prior art of record fails to teach or fairly suggest a recording/reproducing apparatus having the following features:

(a) system controller means for controlling components of the recording/reproducing apparatus including servo circuit means;

(b) the system controller means controlling the servo circuit means for moving the head means to a desired address position on the optical disk,

(c) wobble-signal processing means for extracting a wobble signal from the signal the head means obtains from the wobbling spiral groove and for providing the wobble signal to a PLL circuit means for producing a sync signal from the wobble signal;

(d) the system controller means produces a wobble enable signal when the system controller means controls switching of the recording/reproducing apparatus between at least one of recording and reproducing operations:

(e) the system controller means produces a wobble enable signal when the system controller means controls the servo circuit means to move the head means to a desired address position on the optical disc; and

(f) the system controller means produces a wobble enable signal when the wobble-signal processing means otherwise does not provide a wobble extracted from the signal the head means obtains from the wobbling spiral groove and provides the wobble enable signal to the PLL circuit means, the PLL circuit means further providing an unchanging sync signal in response to receiving the wobble enable signal.

As in claim 6, the prior art of record fails to teach or fairly suggest a recording/reproducing method having the following steps:

(a) extracting a wobble signal from a signal obtained from the wobbling spiral groove when the head and wobbling spiral groove are in proximity;

(b) providing the wobble signal to a PLL circuit to produce a sync signal from the wobble signal;

(c) using a system controller to control components of a recording/reproducing apparatus to provide operations resulting in the loss of the extracted wobble signal including the operation of switching between recording and reproducing

functions and operations in which the head is not in proximity with the wobbling spiral groove; and

(d) providing a wobble enable signal from the system controller to the PLL circuit at least when the system controller is controlling components of the recording/reproducing apparatus to provide the operations resulting in the loss of the extracted wobble signal the wobble enable signal from the system controller causing the PLL circuit to hold the sync signal unchanged as long as the wobble enable signal is provided by the system controller.

As in claim 9, the prior art of record fails to teach or fairly suggest a recording/reproducing apparatus having the following features:

(a) a system controller configured to control components of the recording/reproducing apparatus including a servo circuit, the system controller being further configured to control the servo circuit to move the head to a desired address position on the optical disk; and

(b) a wobble-signal processing circuit configured to extract a wobble signal from the signal the head obtains from the wobbling spiral groove and to provide the wobble signal to a PLL circuit configured to produce a sync signal from the wobble signal; and

(c) the system controller is further configured to produce a wobble enable signal when the system controller controls switching of the recording/reproducing apparatus between at least one of a recording and a reproducing operation, when the system controller controls the servo circuit to move the head to a desired address position on the optical disc, and when the wobble-signal processing circuit otherwise does not provide a wobble signal extracted from the signal the head obtains from the wobbling spiral groove and to provide the wobble enable signal to the PLL circuit, the PLL circuit being further configured to provide an unchanging sync signal in response to receiving the wobble enable signal from the system controller.

The features indicated above, in combination with the other elements of the claims, are not anticipated by, nor made obvious over, the prior art of record.

5. Any comments considered necessary by applicant must be submitted no later than the payment of the Issue Fee and, to avoid processing delays, should preferably **accompany** the Issue Fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

6. Any response to this action should be mailed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Or faxed to:

(571) 273-8300 (for formal communications intended for entry. Or:

(571) 273-7585, (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Any inquiry of a general nature or relating to the status of this application should be directed USPTO Contact Center (703) 308-4357; Electronic Business Center (703) 305-3028.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kim CHU whose telephone number is (571) 272-7585 between 9:30 am to 6:00 pm, Monday to Friday.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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1/9/06
January 9, 2006
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